

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ADAM GRIFFEY,)	
)	
Plaintiff,)	Civil Action No. 18-1593
)	Judge David Stewart Cercone /
v.)	Magistrate Judge Maureen P. Kelly
)	
WESTMORELAND COUNTY PRISON,)	
)	
Defendant.)	

MEMORANDUM ORDER

Adam Griffey (“Plaintiff”), is pro se litigant, currently housed in the State Correctional Institution at Camp Hill (“SCI-Camp Hill”). Plaintiff has filed an IFP Motion, ECF No. 1, in order to prosecute a prisoner civil rights complaint.

The case was referred to Magistrate Judge Maureen Kelly in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D.

Magistrate Judge Kelly’s Report and Recommendation (the “Report”), ECF No. 4, filed on December 7, 2018, recommended that Plaintiff’s Motion for Leave to Proceed In Forma Pauperis (“IFP Motion”), ECF No. 1, be denied due to Plaintiff having acquired three strikes and the proposed Complaint failing to demonstrate any imminent danger. Plaintiff was informed that he could file Objections to the Report. Plaintiff did not file any anything entitled Objections. However, he did file two items. The first item he filed was a Declaration. ECF No. 5. The second item was an “Addendum.” ECF No. 6.

Neither of the filings Plaintiff made after the filing of the Report are responsive to the fact that he has three strikes and that his proposed Complaint does not reveal any danger of yet

alone imminent danger. The proposed Complaint merely reasserts that Westmoreland County Prison allegedly kept him over his sentence.

After de novo review of the Report and the pleadings of this case, Plaintiff's IFP Motion is hereby DENIED. Plaintiff is ORDERED to pay the entire filing fee of \$400.00 by February 1, 2019. Failure to pay the filing fee by that date will result in the dismissal of this action with prejudice for failure to prosecute without any further warning. The Report and Recommendation, ECF No. 4, is adopted as the opinion of the Court.

1/8/19



David Stewart Cercone
Senior United States District Judge

cc: The Honorable Maureen P. Kelly
United States Magistrate Judge

Adam Griffey
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(Via First Class Mail)